

EXHIBIT D

IN THE UNITED STATE DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ANNA K. NUPSON,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No.: 2:18-cv-02505-NIQA
)	
SCHNADER HARRISON SEGAL)	
& LEWIS, LLP, and BRUCE A.)	
ROSENFELD, ESQ.,)	
)	
Defendants.)	

**PLAINTIFF'S NOTICE TO TAKE VIDEOTAPED DEPOSITION OF
DEFENDANT PURSUANT TO RULE 30(b)(6)**

PLEASE TAKE NOTICE that, pursuant to Federal Rule of Civil Procedure 30(b)(6), Plaintiff, Anna K. Nupson, through undersigned counsel, shall take the deposition upon oral and video examination of Defendant Schnader Harrison Segal & Lewis ("Schnader") through one or more officers, directors, agents or other representatives who shall be designated to testify on behalf of Schnader regarding all information known or reasonably available with respect to the subject matters identified in the attached document. *See Exhibit A.* Plaintiff requests that Defendant provide written notice five (5) business days before the deposition of the name(s) and employment position(s) of the individual(s) designated to testify of Defendant's behalf.

This deposition shall commence on September 14, 2021, at 9:00 a.m. MT/ 11:00 am ET until completion, via zoom and before a certified court reporter of Trattel Court Reporting. This deposition may be recorded and used for all purposes consistent with Federal Rules of Civil Procedure including use at hearing or trial.

Date: September 1, 2021

Respectfully submitted,

/s/ Ben Davis

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CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing instrument was served on all counsel via the ECF system on this 2nd day of September 2021.

/s/ Ben Davis
Ben Davis

EXHIBIT A

In accordance with Rule 30(B)(6), of the Federal Rules of Civil Procedure, Plaintiff designates the matters identified below for examination. In construing these topics, the following instructions and definitions shall apply:

A. All terms shall be construed to encompass as broad a range of information as permitted under the Federal Rules of Civil Procedure and Federal Rules of Evidence.

B. “Schnader” means Schnader Harrison Segal & Lewis, LLP.

C. “Rosenfield” means Bruce A. Rosenfield in his capacity as a Trustee, lawyer, representative, fiduciary, or any other capacity.

D. “You” means Bruce Rosenfield, Schnader Harrison Segal & Lewis, LLP (“Schnader”) or any Schnader partner, lawyer or any other person employed by or affiliated with or acting on behalf of or at the direction of Rosenfield and/or Schnader at any point in time, and in any capacity.

E. “Orphans’ Court Litigation” is defined as the legal proceedings in the Orphans’ Court Division of the Court of Common Pleas of Montgomery County, Pennsylvania, having the following docket numbers: 1998-X1871; 2012-X3503; 2014-X3827; 2015-X1266; 2016-X4305; 2017-X1239; and 2017-X1364.

F. “ESI Invoice” means the invoice no. 2428009 prepared by Schnader Harrison Segal & Lewis, LLP, dated December 4, 2017, and its amended version, dated December 11, 2017.

G. “ESI client files” or “ESI client materials” means all electronically stored information pertaining to, and/or belonging to members of the Middleton family, including but not limited to any Middleton Family Business, Herbert H. Middleton Jr., Frances S. Middleton, John S. Middleton, Lucia Hughes, and Anna K. Nupson, and any of their children, in any of their joint

or respective capacities as individuals, trustees, representatives, executors, beneficiaries or other fiduciary and/or non-fiduciary roles.

H. “Middleton Family Business” means all corporations, companies, subsidiaries, entities, businesses, partnerships, or any other business, regardless of its state or place of incorporation, including, but not limited to John Middleton, Inc., G.W. Hunter, Inc., Bradford Holdings, Inc., New Bradford Holdings, Inc., Bradford Holdings (Delaware), Inc., Double Play, MDH Co., Inc., Atlantic Properties, Inc., Delfin Corp., Delfin, Inc., Delfinco, Inc., JMTM, Inc., JMHC, Inc., John Middleton Company, McIntosh Motors Inns, Inc., McIntosh Inns, Inc., McIntosh Motor Inns of New Jersey, Inc., Hunter Service Company, Inc., Hunter Services, Inc., CMM, LLC, Pine Street Group, LP, Dock Street Capital, and any and all other corporation, partner, business, entity and/or subsidiaries of the above listed entities.

I. “1994 Anna Trust” means the Trust Under Agreement of Anna M. Bauer, dated September 12, 1994.

Pursuant to Fed. R. Civ. P. 30(b)(6), Schnader is required to designate and fully prepare one or more officers, directors, managing agents or other persons who consent to testify on behalf Schnader, and whom Schnader will fully prepare to testify regarding all information that is known or reasonably available to Schnader’s organization regarding the following designated matters:

1. Schnader’s financial condition including, any and all profits and assets held nationally, balance statements, and all details with regards to Schnader’s Profit or Loss Statements for the past five years.

2. Your policies and procedures for identifying, investigating, communicating, and/or obtaining waivers regarding conflicts of interest for your clients and attorneys/employees, in any capacity, from 2000 to June 5, 2014.

3. Enforcement of your policies and procedures for identifying, investigating, communicating, and/or obtaining waivers regarding conflicts of interest, including, without limitation, any enforcement, communication, training, warning, or penalty provided to, with, or issued against Rosenfield.

4. Your policies and procedures for attorneys acting as trustees, executors, corporate officers, fiduciaries, and/or representatives, from 2000 to June 5, 2014.

5. Enforcement of your policies and procedures for attorneys acting as trustees, executors, corporate officers, fiduciaries, and/or representatives, including, without limitation, any enforcement, communication, training, warning, or penalty provided to, with, or issued against Rosenfield.

6. Your policies, procedures and on collecting, capturing, storing, and reproducing all communications, including but not limited to any handwritten notes, letters, emails, and phone messages) between you and any clients and/or outside entities/persons.